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Dear Justices:

I have read the proposed change Rules 67(d) and (f) submitted by the Arizona Association for Justice and am writing in support of Petition R-13-0044.

Rules 67(d) and (f), which imposes arbitrary financial requirements on certain species of plaintiffs alone, needlessly creates an atmosphere of invidious discrimination against "non-property owning" parties at the expense of public confidence in an impartial judicial system.

Although most experienced lawyers and judges have recognized that the cost bond rules are fundamentally unfair for the past 20 or 30 years, the use of this mechanism has become more prominent since the opinion in *Thiele v. City of Phoenix*, 232 Ariz. 40, 301 P.3d 206 (App. 2013), Petition for Review denied on January 7, 2014, which overruled constitutional objections made by a *pro per* litigant.

The rule change will in effect level the playing field and give apartment dwellers the same rights to access the courts as the home owners. It further makes no sense when you factor in a person who owns a home has a homestead exemption that would prohibit the attachment of the home to cover costs of litigation. It is a nonsensical argument to claim it is needed to recover the costs of litigation when the asset used to determine the need for a bond is exempt.

The Court should eliminate these one-sided, discriminatory rules.

/s/ Herman C. Zickerman